

APPROVED MEETING MINUTES SOUTH CAROLINA SHORELINE CHANGE ADVISORY COMMITTEE

Topic: Estuarine Shorelines, part 2
November 24, 2008 – 9:00am-4:00pm

This document is not intended to be a meeting transcript, *per se*. It is a summary of key themes and some (though not all) of the background dialogue. The meeting summary's structure roughly parallels that of the meeting agenda but is not necessarily true to the temporal order of discussion. A digital recording of the meeting is located at SCDHEC-OCRM's Charleston office.

In Attendance:

1) Advisory Committee members:

Derk Bergquist,	S.C. Department of Natural Resources – <i>alt. for Bob Van Dolah</i>
Sara Brown,	U.S. Army Corps of Engineers
Mark Caldwell,	U.S. Fish & Wildlife Service
Jimmy Carroll,	Carroll Realty
Marc Cherry,	Gramling Brothers, Inc.
Mary Conley,	The Nature Conservancy
Toni Connor-Rooks	City of Folly Beach
Paul Conrads,	U.S. Geological Survey
Hamilton Davis,	S.C. Coastal Conservation League
Rick DeVoe,	S.C. Sea Grant Consortium
Jill Foster,	Town of Hilton Head Island
Paul Gayes,	Coastal Carolina University
Bob George,	G. Robert George & Associates, Inc.
Scott Harris,	College of Charleston
Tara Miller,	NOAA Coastal Services Center
Jim Morris,	University of South Carolina
Bob Van Dolah,	S.C. Department of Natural Resources
Fran Way,	Applied Technology and Management - <i>alt. for Chris Mack</i>

2) Guest Speakers:

Steve Underwood,	N.C. Division of Coastal Management
Guy Stefanski,	N.C. Division of Coastal Management
Ross Nelson,	Tidewater Environmental Services, Inc.

3) S.C. Department of Health & Environmental Control:

Braxton Davis,	OCRM Science & Policy Director
Sadie Drescher,	OCRM Science & Policy Research Specialist
Barbara Neale,	OCRM Regulatory Director
Melissa Rada,	OCRM Science & Policy Program Coordinator
Matt Slagel,	NOAA Coastal Management Fellow

4) S.C. Office of Human Resources

Nathan Strong,	Facilitator
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Welcome / Progress to Date:

Braxton Davis, Director of OCRM's Science & Policy Division, provided a brief overview of the Shoreline Change Initiative and the purpose of the Advisory Committee. To date, there have been two orientation meetings focused on OCRM authorities and activities, the Committee work plan and process, and shoreline management in other states. The Committee has also examined research and information needs, and South Carolina's policies concerning retreat, beach renourishment, beachfront erosion control, and local beach planning. At the meeting on June 20th, the Committee revisited the draft policy options that had been developed up to that point. At the previous meeting on October 17th, the Committee discussed estuarine shoreline alterations, erosion control structures and floodplain management, and the final minutes are now posted on the Shoreline Change Advisory Committee website. The purpose of this meeting is to hear North Carolina's perspective on estuarine shoreline management and to discuss estuarine shoreline vegetative buffers. The draft policy templates will also be reviewed and the Committee will be presented with the proposed timeline and process for developing the report. At this stage, the Committee has been exploring different policy options, but the policy options have not been finalized and any of them may be dropped or added at any time. Completion of the Committee's Draft Report is anticipated in late spring 2009, with a tentative Final Report release date of July 2009.

Presentations:

The following presentations are available on the Shoreline Change Advisory Committee website: http://www.scdhec.gov/environment/ocrm/science/shoreline_comm_1108.htm

Overview of NC's Estuarine Shoreline Policies and Initiatives

Steve Underwood; N.C. Division of Coastal Management

NC Estuarine Shoreline Mapping Project

Guy Stefanski; N.C. Division of Coastal Management

Question and Answer session:

Q- Has NC considered incentives at the county or larger level to encourage homeowners to widen estuarine buffers?

A- Not aware of any incentives in place at this time, but some ideas such as conservation easements are being discussed.

State of the Knowledge Report – Estuarine Shoreline Vegetative Buffers

Sadie Drescher; SCDHEC-OCRM Science & Policy Division

Question and Answer session:

Q- Other than I'On, are there any other large coastal developments that include buffers in their design?

A- There are a number of large developments with buffers, such as Palmetto Bluff in Bluffton, Park Island in Mt. Pleasant, Daniel Island in Charleston.

Q- Are the buffers incentive-based or voluntary?

A- They are voluntary, but encouraged in existing stormwater design guidance.

Q- Does OCRM monitor or enforce how well buffers are being maintained?

A- OCRM performs standard compliance and enforcement inspections on stormwater permits, but the agency does not monitor buffers specifically.

Q- I'On is unique because people knew what they were buying into when they purchased property there. Is there any authority for OCRM to periodically monitor and enforce excessive buffer trimming or destruction?

A- When attached as a permit condition, OCRM can enforce. If buffers are attached to a U.S. Army Corps of Engineers permit, the Corps would need to enforce. One challenge that is faced is when individual lot owners have a buffer on their parcel and they try to offer the buffer as wetland mitigation. OCRM would prefer that mitigation be held by one entity instead of by individual property owners.

Q- For what purpose are buffers being utilized- mostly for stormwater management or shoreline protection?

A- Vegetated buffers would probably reduce shoreline erosion, trees can decrease storm surge, and other hazards can be reduced. This Committee should consider the shoreline protection / setback benefits of vegetated buffers as opposed to focusing on the water quality benefits.

Comment- In NC, the intent of the buffer rules was originally to protect water quality, but the rules have evolved to include shoreline protection.

Q- Is there a major difference between an estuarine vegetated buffer and the OCRM Critical Line?

A- Yes, the Critical Line marks the transition between tidelands and upland. A buffer would be a vegetated area of upland, landward of the Critical Line. Lot lines and setbacks are also established at the local level.

Review/Discussion of Estuarine Shoreline Policy Templates:

The Committee members discussed potential policy options relating to estuarine shoreline erosion, erosion control, and buffers that they would like to explore and develop with draft templates. Four key issues were identified, as follows:

NOTE: This DOES NOT infer that any one or all of the Committee members are supportive of any of these ideas at this stage. This exercise was intended to allow for open “brainstorming” of ideas - even ideas that may not seem possible or preferable on the surface, to help foster discussions among the Committee.

1) Promote alternative shoreline stabilization approaches

Some issues/ideas that could be addressed in the full template include:

- a. Develop estuarine shoreline classifications, map, assess erosion forces; work toward appropriate erosion control response table
- b. Demonstration projects, living shorelines
- c. Research needed – mapping first
- d. Shoreline type vs. appropriate erosion control options
- e. Erosion control alternatives and costs
- f. Is the goal to preserve natural estuarine shoreline ecosystem functions/services?
- g. Allow inland migration with sea level rise?
- h. Legal implications of kings grants and marsh ownership

Subcommittee Lead: Mary Conley
 Scott Harris
 Mark Caldwell
 Jim Morris

2) Increase permit requirements/conditions for estuarine bulkhead construction

Some issues/ideas that could be addressed in the full template include:

- a. Promote consideration of living shorelines
- b. Restrict erosion control on undeveloped properties
- c. Promote consideration of stormwater impacts
- d. Greater proof that erosion is not part of natural shoreline migration
- e. Should OCRM critical line setbacks for bulkheads/structures in the future be based on erosion rates or slope?
- f. Should bulkhead permits have a Destroyed Beyond Repair (DBR) condition which would require walls to be removed? – right now, walls can be maintained or a new permit can be acquired

Subcommittee Lead: Rick DeVoe
 Bob George
 Jim Morris

3) Enhance local government, subregional, or “systems” planning for estuarine shorelines

Some issues/ideas that could be addressed in the full template include:

- a. Estuarine shoreline plans could complement local comprehensive beach management plans, and/or local comp. plans
- b. Require/tie to state funds for infrastructure?
- c. Encourage local ordinances for estuarine shoreline management

Subcommittee Lead: Toni Connor-Rooks will discuss this with Kirstin Dow

4) Establish statewide estuarine shoreline buffers

Some issues/ideas that could be addressed in the full template include:

- a. Use NC and GA as examples
- b. Current buffer ordinances may not include restrictions on erosion control activities; water quality is often the focus
- c. Establish setbacks based on transgression rates (similar to beachfront erosion setbacks)
- d. Incentive based program (conservation easements, tax incentive, redevelopment – cost-share program for non-structural solutions)
- e. Encourage enforcement of local / state buffers
- f. Tie buffer width to slope

Subcommittee Lead: Sara Brown
 Jim Morris
 Marc Cherry
 Bob Van Dolah

Any members of the Committee who were absent from this meeting and would like to participate on one or more of the subcommittees are encouraged to contact Braxton Davis and the members in that working group.

Decisions on Policy Templates for Draft Report:

The Committee discussed the proposed final report format and whether any of the existing draft policy templates should be merged with others or dropped from consideration. Of the 21 draft templates that have been developed so far or are being developed, it was decided that one should be removed as a template but added to the preamble or another section of the report, and six of the templates can be combined into three. Therefore, including the estuarine shoreline templates that have not been developed yet, there will now be 17 policy templates in the report. *This still does not constitute any vote of the Committee in support of or opposition to any of the specific ideas in any of the templates.* The general proposed final report format is as follows:

- Preamble
- Executive Summary

- Introduction (Background, Goals, Process)
- Information/Research Priorities
- Policy chapters organized by meeting topic areas
 - Overview of existing policies, status and trends, and discussions of Committee
 - Series of Policy Options (approved templates)
- Conclusions of Committee

Proposed Timeline/Process for Report Development:

The Committee also discussed the timeline and process that will be followed to write the report. Today is the final “brainstorming” meeting, but the full Committee will meet at least four more times in the coming months according to this tentative schedule:

January 2009

- Public Hearing (with Committee invitees)
- Work Groups develop Estuarine Shoreline Policy Templates
- Volunteers for “Preamble” – one-page opening from the Committee
 - Highlight BRC report?
 - Since then? Risks, vulnerabilities, threats?
 - Reinforce existing policies?
 - Key, consensus recommendations? (on hold)

February 2009

- Facilitated meetings/conference calls of Work Groups to finalize templates

March 2009

- Full membership meeting to review first half templates

April 2009

- Full membership meeting to review second half templates

May 2009

- Full membership meeting to review Draft Report

June 2009

- Public Comment

July 2009

- Release of Final Report

Public Comment Period:

Rob Rettew of the Hunting Island Beach Preservation Association (HIBPA) addressed the Committee and stated his belief that beach renourishment is very important since such a large part of South Carolina’s economy is supported by tourism. Tourists want to see a wide, sandy beach; not a narrow, eroded one. Even though the sand from a renourishment

project does not remain on the beach forever, Mr. Rettew believes that renourishment projects are worth the expense and effort. He informed the Committee that his family's cabin has now been torn down since the erosion has gotten so bad at the south end of Hunting Island. The cabin owners are prepared to formally ask the SC Department of Parks, Recreation, and Tourism (PRT) if they can move to other land on Hunting Island. The current PRT policy is to not allow the cabin owners to relocate since the cabins were built on leased land. Mr. Rettew believes a law should be passed that would not allow local, state, or federal government to prohibit retreat if the opportunity presents itself.

Future Meeting Schedule:

Next meeting: Evening Public Hearing, January 20, 2009

Place: SCDNR Auditorium at Ft. Johnson, Charleston, SC

Format: The Committee will attend an evening public hearing so the members of the public may express their thoughts and concerns. The Committee is encouraged to personally invite any members of the public that they know may be interested in the Committee's work.

Next Steps and Agreements:

- 1) Committee members who arrived late to the meeting or who were unable to attend are encouraged to get in touch with OCRM to listen to the full audio transcript, which is available in OCRM's Charleston office.
- 2) Any submitted written public comment materials will be distributed to Committee members. Oral public comments are described in the meeting minutes. All public comments will be available in full at OCRM's Charleston office.
- 3) Prior to the next meeting, OCRM will send the Committee the draft meeting minutes for review.
- 4) Meeting materials including approved minutes, presentations, and public comments will be posted: http://www.scdhec.gov/environment/ocrm/science/shoreline_comm.htm
- 5) By the end of December, work group leads should submit a workable draft template to Braxton Davis at OCRM.
- 6) Committee members can still join any work group they would like. They are particularly encouraged to join groups where they have early concerns about the direction or policy development within some of the draft templates.
- 7) The new estuarine shoreline draft templates should be submitted to Braxton Davis by the end of January at the latest.